

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL WARZEK,

Plaintiff,

vs.

VALLEY STATE PRISON, et al.,

Defendants.

1:20-cv-00027-DAD-GSA-PC

**ORDER WITHDRAWING FINDINGS AND
RECOMMENDATIONS ENTERED ON
MARCH 20, 2020**

(ECF No. 7.)

Michael Warzek ("Plaintiff") is a state prisoner proceeding *pro se* with this civil rights action pursuant to 42 U.S.C. § 1983.

On March 20, 2020, the court entered findings and recommendations, recommending that this case be dismissed for Plaintiff's failure to comply with the court's order of January 7, 2020, which required Plaintiff to either submit an application to proceed *in forma pauperis* or pay the \$400.00 filing fee for this action, within thirty days. (ECF No. 7.) Plaintiff was granted fourteen days in which to file objections to the findings and recommendations. (*Id.*) On April 13, 2020, Plaintiff paid the \$400.00 filing fee in full for this action. (Court Record.)

In light of the fact that Plaintiff has paid the \$400.00 filing fee in full for this action, the court shall vacate the findings and recommendations entered on March 20, 2020.

Accordingly, **IT IS HEREBY ORDERED** that the findings and recommendations entered on March 20, 2020, are WITHDRAWN.

IT IS SO ORDERED.

Dated: May 14, 2020

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE